the two Houses of Parliament on the eve of 50th Anniversary of Indian Democracy in August this year; and

(b) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE (SHRI RAMAKANT D. KHALAP): (a) and (b) Certain proposals for amending section 8 of the Representation of the People Act, 1951 have been formulated. The Election Commission have also sent some proposals in this regard. The Government will bring forward a Bill as soon as consensus is reached amongst political parties on changes to be made in electoral laws to prevent entry of criminals in politics.

Electoral Reforms

756. SHRI BANGARU LAXMAN:
SHRI YERRA NARAYANASWAMY:

Will the Minister of LAW AND JUSTICE be pleased to state:

10. whether the Election Commission has made some recommendactions to Government on Electoral Reforms;

11. if so, the details thereof; and

12. the reaction of Government to each of these recommendations?

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE (SHRI RAMAKANT D. KHALAP): (a) and (b) A statement containing the requisite information is laid on the Table of the House. *(See* below).

(c) The proposals of the Election Commission pertaining to issue of photo identity cards and reduction in campaign period to fourteen days have since been implemented. Moreover, against the proposals of the Election Commission not to allow any candidate to contest for election from more than one constituency, it has been provided that no candidate would contest from more than two constituencies of the same class. Government does not favour giving powers to the Election Commission either to make laws or to take disciplinary action against Government Servants. No final decision has been taken with regard to other proposals.

Statement

The Important proposals made by the Election Commission regarding Electoral Reforms

(a) Fixed composition of Election Commission consisting of Chief Election Commissioner and two Election Commissioners.

(b) Same safeguards to the Election Commissioners in the matter of their tenure of office, as are available to the Chief Election Commissioner under the Constitution.

(c) Amendment to Section 77 of the Representation of the People Act, 1951 so as to provide that the ceiling of election expenses fixed under the law is all inclusive (including the expenses incurred by the political party), and to raise the limit of such expenditure to reasonable level.

(d) Amendment of Section 159 of the Representation of the People Act, 1951 enabling the deployment of personnel of Public Sector Undertakings and Government aided bodies, for election duty.

(e) The Election Commission should have an independent secretariat and the expenditure on the Commission should be "charged" and not "voted".

(f) Photo identity cards should be issued to all electors.

(g) The District Electoral Officer concerned should be statutorily required to be consulted and empowered to have a say in the police arrangement for elections.

(h) The political bigwigs who harbour proclaimed abscondors and are seen openly in their company, should be proceeded against. The power to

grant parole or remission of sentence of convicted criminals, should be sparingly exercised when the elections are imminent' or in progress.

9. The unauthorised possession of ballot boxes or Electronic Voting Machine, and unauthorised printing of ballot papers should be made cognisable offence.

(b) Increase in the amount of security deposit.

(c) There should be a minimum of 10 proposers for every candidate drawn from different polling areas.

(d) No candidate should be allowed to contest from more than one constituency.

(e) Reduction in campaign period from 20 days to 14 days to bring down the election expenses and the administrative cost on the maintenance of law and order.

(f) The Election Commission may be empowered to countermand election due to booth capturing even otherwise than on the report of the Returning Officer.

(g) Every registered political party should publish its account annually and these should be audited by agencies specified by the Commisison.

(h) Non-maintenance of the true account of election expenses or not filing of its true copy within the prescribed time and manner should be punishable with imprisonment and fine and on conviction, the candidate should be disqualified for a period of six years.

(i) The candidate who fails to lodge his election expenses return within the prescribed time, should automatically stand disqualified for a period of five years.

(j) Violation of the Model Code of Conduct should result in the election of the candidate(s) in whose favour or with whose consent or connivance, the violation was caused, being declared void and that the candidate(s) should be disqualified for a period of six years.

(a) The existing provision in section 29A of the Representation of the People Act, 1951 relating to registration of political parties, should not be deleted and there should be a specific provision to de-register a party if it violates the undertaking given under the section. The power to deregister should vest in the High Court.

(b) The provisions of section 28 of the Representation of the People Act, 1950 and section 169 of the Representation of the People Act, 1951, are violative of and repugnant to the provisions of article 324 of the Constitution. The authority to make rules should, therefore, be conferred totally on the Election Commission. The Election Commission shall, however, consult the Central Government.

3. The Officer nominated or designated as Chief Electoral Officer should not be allowed to do any other work except with the approval of Election Commission.

4. Election Commission should be given powers to take disciplinary action against officers of Government while they are performing election related duties.

23. The disqualification in all cases provided under section 8 of the Representation of the People Act, 1951 should start from the date of conviction and the period of disqualification should be - the period of sentence and additional six years thereafter;

24. Clauses (2) and (3) of section 8 of the said Act be put together, simplified and the minimum

sentence reduced from two years to six months; and

25. Instead of clauses (1), (2) and (3) a simple provision be made that any one sentenced to imprisonment for six months or more should be debarred from contesting elections.

Party Whips for Presidential Election

757. SHRI TARA CHARAN MAJUMDAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government have either amended existing rules or formulated new rules banning the issue of Party Whips by all political parties to its members while participating in the Presidential Election in future; and

(b) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE (LEGISLATIVE DEPARTMENT AND DEPARTMENT OF JUSTICE) (SHRI RAMAKANT D. KHALAP): (a) No. Sir.

(b) Docs not arise. Vacant posts of

Judges in High Courts

758. DR. D. VENKATESHWAR RAO: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of vacancies of judges, High Court-wise; and

(b) action taken to fill up the vacancies early?

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE (SHRI RAMAKANT D. KHALAP): (a) The requisite information is given in the enclosed statement. *(See* below)

(b) The procedure for appointments involves consultations among several constitutional authorities. However, every effort is being made to fill up existing vacancies at the earliest.

Statement

SI. No.	High Court	Vacancies of Judges as on 01.11.1997
1.	Allahabad	13
2.	Andhra Pradesh	3
3.	Bombay	9
4.	Calcutta	10
5.	Delhi	3
6.	Gauhati	—
7.	Gujarat	7
8.	Himachal Pradesh	—
9.	Jammu & Kashmir	5
10.	Karnataka	5
11.	Kerala	1
12.	Madhya Pradesh	4
13.	Madras	4
14.	Orissa	1
15.	Patna	5
16.	Punjab & Haryana	9
17.	Rajasthan	3
18.	Sikkim	2
	Total:	M

Amendment to the Representation of the People Act

759. SHRI O.P. KOHLI: Will the Minister of LAW AND JUSTICE be pleased to state:

1. whether the Chief Election Commissioner has called for amendment to the Representation of the People Act to make it mandatory for political parties to fill specified number of women candidates in elections; and

2. if so. Government's reaction thereto?

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE (SHRI RAMAKANT D. KHALAP): (a) No, Sir.

(b) Docs not arise.